

## REMARKS

In response to the above-identified Final Office Action, the Applicants have amended their application and respectfully request reconsideration thereof. Specifically, the independent claims have been amended to include limitations corresponding partially to limitations in canceled dependent claims. The amendments do not introduce any new matter, and written description to support these limitations can be found in the below quoted text and other portions of the specification for the present application.

*It is also possible that permanent information about the viewer (i.e. the name, address, method of payment and credit card number) may be preentered once by the viewer, so it is not necessary to solicit that information each time an order is placed. The information is stored in permanent memory in the client computer. In such a case, when an order is placed, that information is retrieved from the permanent memory, appended to the item number and transmitted to the central computer. It is further possible that, by means of time codes, or other commands, inserted into the data stream, the client computer will know which item is currently being offered for sale. In such a case, the viewer will be able to order it by simply pressing one button on the TV remote control. In response, the client computer can combine the previously received information related to the item currently being offered for sale with the previously stored personal information related to the viewer, and transmit the order to the central computer and receive the confirmation in return. (Specification, column 8, line 52-column 9, line 2).*

1. Objections Related to Reissue Formalities

The Applicants have noted the objection against the amendment filed December 20, 2002, which added new claims 246-357 without presenting the entire text of the claim in the required manner (i.e., with underlining). With a view to addressing this objection, the Applicants submit herewith a Response to Notice of Non-Compliant Amendment in which new claims 246-357 are shown to be underlined.

2. Claim Rejections – 35 USC §102

Claims 10, 12, 15, 16, 21-26, 28, 33-36, 38, 40, 43, 51-54, 58, 60, 63-66, 260, 262, 263, 278, 279, 280, and 281 stand rejected under 35 U.S.C §102(e) as allegedly being anticipated by U.S. Patent no. 5,621,456 (hereinafter Florin).

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 10 has been amended as indicated herein with a view to addressing this rejection, and to clarify certain wording of the claim. Specifically, claim 10 as amended now includes the following limitations:

*"enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order; and*

*in response to the single action with respect to the client, causing an order for the item to be placed,*

*wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further*

orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action." (Emphasis Added).

Turning first to the question of the "single interaction" as reflected in the claims prior to amendment, the Final Office Action, in the Response to Arguments portion thereof, points out that Florin "required 3 actions" by the user to enable a user to order an item. These 3 actions are stated to be encompassed within a single interaction with the client device that is no different than the first and second embodiment (Final Office Action, page 5, lines 16-18). With a view to clarifying, claim 10 has been amended to require that the user be enabled to order the item by a single action with respect to the client, the single action being in connection with the order.

As stated in the previous response, Florin discloses the following:

*[T]o order the mini-espresso machine...the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 490. As illustrated in FIG. 49, the personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal identification number. (PIN). After entering the personal identification number (PIN), the ok. button 178 or select button 155 is depressed in order to order the product. (Florin, column 24, lines 40-47).*

The methodology for ordering disclosed in Florin accordingly requires multiple actions by the user, namely:

- 1) user depression of the select button 155 (or the right arrow button 150) to highlight the order icon 490;

- 2) user input of a personal identification number (PIN) utilizing the numeric key pad 176; and
- 3) user selection of the ok button 178 (or the select button 155).

Accordingly, in order to order the mini-espresso machine, the user described in Florin performs three distinct actions with the main module 62, once a decision has been made to order the mini-espresso machine and as part of the order process. In contrast, amended claim 1 requires enabling the user to order the item by a single action.

Secondly, it will be noted that claim 10, as amended, now also specifically requires that the enabling of the user to order the item by a single action utilizing (1) previously stored, user related personal information that is stored in memory for repeated use in enabling further orders for further items to be placed, and so that it is not necessary to solicit the personal information each time a further order is placed.

Florin on the other hand fails to provide any disclosure regarding the storage of personal information for repeated use in enabling further orders to be placed. Specifically, Florin discloses only the following:

*Referring to FIG. 48, to obtain further information regarding the mini-espresso machine illustrated in FIG. 47, the user depresses the select button 155 (or the right arrow button 150) on the remote control device 60 to highlight the info icon 408. As illustrated in FIG. 48, information relating to the particular product (i.e. espresso machine) is shown on the screen 180. To order the mini-espresso machine illustrated in FIGS. 47 and 48, the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 409. As illustrated in FIG. 49, a personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal*

*identification number (PIN). After entering the personal identification number (PIN), the ok button 178 or select button 155 is depressed to order the product. In the presently preferred embodiment, once the personal identification number (PIN) of the user is entered into the system of the present invention and the ok button 178 or the select button 155 is depressed, a signal is provided by the CPU 63 to the service provider 50, using one of the back channels 102 (See FIG. 3)a. As illustrated in FIG. 50, a confirmation of the order, along with a delivery time is displayed to the user. It will also be appreciated that other home shopping interface variants may be designed and implemented using the teachings of the present invention. (Florin, column 24, lines 33-57).*

In summary, each and every limitation of claim 10, as amended, is not found either expressly or inherently described in Florin. The other independent claims of the present application have been amended to include limitations corresponding substantially to the above-discussed limitations of claim 10. The Applicants accordingly contend that these further independent claims overcome the 35 U.S.C. §102(e) rejection for the same reasons set out above.

### 3. Claim Rejections - 35 U.S.C. § 103

A number of claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Florin and in view of further references.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The

teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

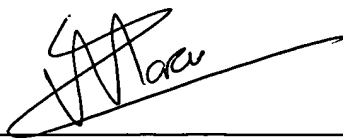
The prior art references when combined (i.e., Florin when combined with various other references as set out in the Office Action) simply do not teach or suggest all claim limitations of the claims rejected under 35 U.S.C. § 103. Specifically, each of these rejected claims is dependent upon an independent claim that is shown above to include a limitation that is not taught or suggested by Florin. Accordingly, the rejection of the various dependent claims under 35 U.S.C. § 103 is addressed by the above remarks that set out how the independent claims of the present application are distinguished over Florin.

In summary, the Applicants contend that all claims are now in a condition for allowance, which is earnestly solicited. If a telephone interview would in any way expedite allowance of the claims, the Examiner is invited to call the undersigned attorney at (408) 947-8200 ext. 204.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then the Applicants hereby request such an extension.

Respectfully submitted,  
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Dated: 02/20/ 2003



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VERSION OF CLAIMS WITH MARKINGS

**Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.**

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;  
enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order; and  
in response to the single [interaction] action with respect to the client, causing an order for the item to be placed[.],

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single [interaction] action is one of a group including:

selecting of a single button; and  
pressing of a single button on a TV remote control.

12. (Canceled) The method of claim 10, wherein causing the order to be placed is achieved by using:

information related to the item; and  
user related personal information.

13. (Amended) The method of claim [12] 10, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim [12] 10, wherein the user related, personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:



the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:

sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:

communicating information between the client and the server via the central processing facility.

25. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

- (c) information to at least one of show and describe the item via the client; and
- (d) information to enable the user to order the item by the single [interaction] action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

29. (Amended) The method of claim 28, wherein the single [interaction] action includes a least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

30. (Canceled) The method of claim 28, including receiving the order from the client, the order including:

information related to the item; and

user related personal information.

31. (Amended) The method of claim [30] 28, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim [30] 28, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim [248] 28 including multiplexing the provision of the information to at least one of show and describe the item and [the] code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:  
a data processing system to at least one of show and describe an item to a user; and

a client to enable the user to order the item by a single [interaction] action with respect to the client and, in response to the single [interaction] action, to cause an order for the item to be placed[.].

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single [interaction] action includes at least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

40. (Canceled) The system of claim 38, wherein the client is to place the order using:

information related to the item; and  
user related personal information.

41. (Amended) The system of claim [40] 38, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim [40] 38, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the [distributed computing] computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;

and

information to enable the user to order the item by [a] the single

[interaction] action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Amended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single [interaction] action with respect to the client[.],

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single [interaction] action includes at least one of a group including:

- a selecting of a single button; and
- a pressing of a single button on a TV remote control.

60. (Canceled) The system of claim 58, including a data receiver to receive the order from the client, the order including:

- information related to the item; and
- user related personal information.

61. (Amended) The system of claim [60] 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim [60] 58, wherein the [code is] second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.



64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable to the client to thereby generate data for transmission to the client.

246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single [interaction] action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single [interaction] action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.

253. (Amended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item within a distributed computing system including at least one client and at least one server by:

at least one of showing and describing an item to a user via the client;  
enabling the user to order the item by a single [interaction] action with respect to the client the single action being in connection with the order[; and],  
in response to the single [interaction] action with respect to the client,  
causing an order for the item to be placed[.],

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is

stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

278. (Canceled) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method including:

- at least one of showing and describing an offering to a user via the client;
- enabling the user to order the offering by a single interaction with the client; and
- in response to the single interaction with the client causing an order related to the offering to be placed.

279. (Canceled) A method including:

- providing a client with information to at least one of show and describe an offering to a user; and
- enabling the user to order the offering by a single interaction with the client.

280. (Canceled) A computer system including:

- a data processing system to at least one of show and describe an offering to a user; and
- a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (Canceled) A computer system including:

- a data source to provide a client with information to at least one of show and describe an offering to a user; and

	DATE	TIME	LOCATION	REMARKS
1	1960-07-18	10:00	WATERBURY	ARRIVED WATERBURY
2	1960-07-18	10:15	WATERBURY	LEFT WATERBURY
3	1960-07-18	10:30	WATERBURY	ARRIVED WATERBURY
4	1960-07-18	10:45	WATERBURY	LEFT WATERBURY
5	1960-07-18	11:00	WATERBURY	ARRIVED WATERBURY
6	1960-07-18	11:15	WATERBURY	LEFT WATERBURY
7	1960-07-18	11:30	WATERBURY	ARRIVED WATERBURY
8	1960-07-18	11:45	WATERBURY	LEFT WATERBURY
9	1960-07-18	12:00	WATERBURY	ARRIVED WATERBURY
10	1960-07-18	12:15	WATERBURY	LEFT WATERBURY
11	1960-07-18	12:30	WATERBURY	ARRIVED WATERBURY
12	1960-07-18	12:45	WATERBURY	LEFT WATERBURY
13	1960-07-18	13:00	WATERBURY	ARRIVED WATERBURY
14	1960-07-18	13:15	WATERBURY	LEFT WATERBURY
15	1960-07-18	13:30	WATERBURY	ARRIVED WATERBURY
16	1960-07-18	13:45	WATERBURY	LEFT WATERBURY
17	1960-07-18	14:00	WATERBURY	ARRIVED WATERBURY
18	1960-07-18	14:15	WATERBURY	LEFT WATERBURY
19	1960-07-18	14:30	WATERBURY	ARRIVED WATERBURY
20	1960-07-18	14:45	WATERBURY	LEFT WATERBURY
21	1960-07-18	15:00	WATERBURY	ARRIVED WATERBURY
22	1960-07-18	15:15	WATERBURY	LEFT WATERBURY
23	1960-07-18	15:30	WATERBURY	ARRIVED WATERBURY
24	1960-07-18	15:45	WATERBURY	LEFT WATERBURY
25	1960-07-18	16:00	WATERBURY	ARRIVED WATERBURY
26	1960-07-18	16:15	WATERBURY	LEFT WATERBURY
27	1960-07-18	16:30	WATERBURY	ARRIVED WATERBURY
28	1960-07-18	16:45	WATERBURY	LEFT WATERBURY
29	1960-07-18	17:00	WATERBURY	ARRIVED WATERBURY
30	1960-07-18	17:15	WATERBURY	LEFT WATERBURY
31	1960-07-18	17:30	WATERBURY	ARRIVED WATERBURY
32	1960-07-18	17:45	WATERBURY	LEFT WATERBURY
33	1960-07-18	18:00	WATERBURY	ARRIVED WATERBURY
34	1960-07-18	18:15	WATERBURY	LEFT WATERBURY
35	1960-07-18	18:30	WATERBURY	ARRIVED WATERBURY
36	1960-07-18	18:45	WATERBURY	LEFT WATERBURY
37	1960-07-18	19:00	WATERBURY	ARRIVED WATERBURY
38	1960-07-18	19:15	WATERBURY	LEFT WATERBURY
39	1960-07-18	19:30	WATERBURY	ARRIVED WATERBURY
40	1960-07-18	19:45	WATERBURY	LEFT WATERBURY
41	1960-07-18	20:00	WATERBURY	ARRIVED WATERBURY
42	1960-07-18	20:15	WATERBURY	LEFT WATERBURY
43	1960-07-18	20:30	WATERBURY	ARRIVED WATERBURY
44	1960-07-18	20:45	WATERBURY	LEFT WATERBURY
45	1960-07-18	21:00	WATERBURY	ARRIVED WATERBURY
46	1960-07-18	21:15	WATERBURY	LEFT WATERBURY
47	1960-07-18	21:30	WATERBURY	ARRIVED WATERBURY
48	1960-07-18	21:45	WATERBURY	LEFT WATERBURY
49	1960-07-18	22:00	WATERBURY	ARRIVED WATERBURY
50	1960-07-18	22:15	WATERBURY	LEFT WATERBURY
51	1960-07-18	22:30	WATERBURY	ARRIVED WATERBURY
52	1960-07-18	22:45	WATERBURY	LEFT WATERBURY
53	1960-07-18	23:00	WATERBURY	ARRIVED WATERBURY
54	1960-07-18	23:15	WATERBURY	LEFT WATERBURY
55	1960-07-18	23:30	WATERBURY	ARRIVED WATERBURY
56	1960-07-18	23:45	WATERBURY	LEFT WATERBURY
57	1960-07-18	24:00	WATERBURY	ARRIVED WATERBURY
58	1960-07-18	24:15	WATERBURY	LEFT WATERBURY
59	1960-07-18	24:30	WATERBURY	ARRIVED WATERBURY
60	1960-07-18	24:45	WATERBURY	LEFT WATERBURY
61	1960-07-18	25:00	WATERBURY	ARRIVED WATERBURY
62	1960-07-18	25:15	WATERBURY	LEFT WATERBURY
63	1960-07-18	25:30	WATERBURY	ARRIVED WATERBURY
64	1960-07-18	25:45	WATERBURY	LEFT WATERBURY
65	1960-07-18	26:00	WATERBURY	ARRIVED WATERBURY
66	1960-07-18	26:15	WATERBURY	LEFT WATERBURY
67	1960-07-18	26:30	WATERBURY	ARRIVED WATERBURY
68	1960-07-18	26:45	WATERBURY	LEFT WATERBURY
69	1960-07-18	27:00	WATERBURY	ARRIVED WATERBURY
70	1960-07-18	27:15	WATERBURY	LEFT WATERBURY
71	1960-07-18	27:30	WATERBURY	ARRIVED WATERBURY
72	1960-07-18	27:45	WATERBURY	



Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et. al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO  
FACILITATE ORDERING OF AN  
ITEM (As Amended)

Examiner: Kalinowski, Alexander G

Art Group: 3626

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on February 20, 2003  
Date of Deposit

Leslie Rogan  
Name of Person Mailing Correspondence

Signature *Leslie D. Rogan* Date *2/20/03*

Assistant Commissioner of Patents  
Washington, DC 20231-9998

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

Applicants below set forth a marked-up version of the replacement claims, as originally presented in the Preliminary Amendment filed on October 6, 2000.

MARKED UP VERSION OF THE CLAIMS

246. (New) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single interaction with the client.

247. (New) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single interaction with the client.

248. (New) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (New) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (New) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (New) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (New) The system of claim 58 wherein the information to enable includes code to be executed by the client to enable the user to order the item.

253. (New) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

254. (New) The method of claim 151 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

255. (New) The method of claim 172 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

256. (New) The method of claim 189 wherein the second stream of packets includes code modules that comprise the computing application and data modules including the information to be used by the computing application.

257. (New) The system of claim 205 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

258. (New) The system of claim 224 wherein the second stream of packets includes at least a portion of the computing application.

259. (New) The system of claim 237 wherein the second information includes at least a portion of the computing application.



260. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item within a distributed computing system including at least one client and at least one server by:

showing and/or describing an item to a user via the client;

enabling the user to order the item by a single interaction with the client; and

in response to the single interaction with the client, causing an order for the item to be placed.

261. (New) The machine-readable medium of claim 260, wherein the medium comprises a data stream.

262. (New) The machine-readable medium of claim 260, wherein the medium comprises a mass storage device.

263. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item by:

providing a client with information to show and/or describe an item to a user;

and

enabling the user to order the item by a single interaction with a client.

264. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

receiving data, some of which represents video and some of which represents a computing application;

causing the video to be displayed;

executing the computing application to cause display of interactive information;

using one or more of the displayed video and the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order for the item to be placed.

265. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

providing data, some of which represents video to be displayed and some of which represents a computing application to be executed to display interactive information, to the client, the client to use one or more of the displayed video and the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client ; and

in response to the interaction, receiving an order for the item.

266. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing an order for an item by:

receiving an order request at a client system;

automatically determining an item identity for an item to which the order request pertains;

automatically retrieving previously stored personal information previously, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the item identity and the retrieved personal information.

267. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing of an order for an item by communicating data to a client system, the data including:

information related to an item; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an item identity for an item to which the order request pertains utilizing the information related to the item, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the item identity and the retrieved personal information.

268. (New) A method of facilitating ordering an item using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television viewer;

enabling the viewer to select the item by interacting with the client; and

in response to the viewer interaction, causing an order relating to the item to be placed.

269. (New) The method of claim 268, wherein the viewer interaction is by way of a single command.

270. (New) The method of claim 269, wherein the single command is by one of a group of:

selecting of a single button; and

pressing of a single button on a TV remote control.

271. (New) The method of claim 268, wherein causing the order to be placed is achieved by using:

information related to the item and viewer related personal information.

272. (New) The method of claim 271, wherein the personal information is stored in memory at the client.

273. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order relating to the item to be placed.

274. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client; and

in response to the interaction, receiving an order for the item.

275. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an item to a television user;

enable the television user to select the item by interacting with the client ;  
and

in response to the interaction, cause an order for the item to be placed.

276. (New) An interactive television system to order an item, the system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an item to a television user;

enable the user to select the item by way of an interaction; and

in response to the interaction, cause an order for the item to be placed.

277. (New) An interactive television system to order an item, the system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an item to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.



278. (New) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method comprising:

showing and/or describing an offering to a user via the client;

enabling the user to order the offering by a single interaction with the client; and

in response to the single interaction with the client causing an order related to the offering to be placed.

279. (New) A method comprising:

providing a client with information to show and/or describe an offering to a user; and

enabling the user to order the offering by a single interaction with a client.

280. (New) A computer system comprising:

a data processing system to show and/or describe an offering to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (New) A computer system comprising:

a data source to provide a client with information to show and/or describe an offering to a user; and

an information source to provide a client with information to enable the user to order the offering by a single interaction with a client.

282. (New) A method of facilitating ordering using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television viewer

enabling the viewer to select the offering by interacting with the client; and

in response to the viewer interaction, causing an order relating to the offering to be placed.

283. (New) A method of facilitating ordering an offering using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television user;

enabling the user to select the offering by way of an interaction; and

in response to the interaction, causing an order relating to the offering to be placed.

284. (New) A method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an offering to a television user and to enable the user to select the offering by interacting with the client and

in response to the interaction, receiving an order for the offering.

285. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an offering to a television user;

enable the television user to select the offering by interacting with the client; and

in response to the interaction, cause an order for the offering to be placed.

286. (New) An interactive television system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an offering to a television user;

enable the television user to select the offering by way of an interaction;  
and

in response to the interaction, cause an order for the item to be placed.

287. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an offering to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.

288. (New) A method of facilitating placing an order for an item, the method comprising:

receiving an order request at a client system;

automatically determining an offering identity for an offering to which the order request pertains;

automatically retrieving previously stored personal information, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the offering identity and the retrieved personal information.

289. (New) A method of facilitating placing of an order, the method comprising communicating data to a client system, the data including:

information related to an offering; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an offering identity for the offering utilizing the information related to the offering, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the offering identity and the retrieved personal information.

290. (New) A system comprising:

a. a client to receive data including at least auxiliary data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images based on the processed auxiliary data;  
and

b. a local computer collocated with and in communication with the  
client to allow the client to communicate with the local computer.

291. (New) The system of claim 290, further comprising a mass storage in  
communication with the client to enable the client to retrieve information from the mass  
storage.

292. (New) The system of claim 291, wherein the client is to use the mass storage to  
store of data to be retrieved later.

293. (New) The system of claim 292, wherein the local computer is to control the  
client.

294. (New) The system of claim 293, wherein the local computer is to control the  
client to process a computer program included in the received data.

295. (New) The system of claim 290, wherein the local computer is at least one of the  
group consisting of a personal computer, a larger computer and a computer network.

296. (New) The system of claim 290, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer.

297. (New) The system of claim 296, wherein the application data includes computer code to facilitate an interaction with a client system user.

298. (New) The system of claim 296, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

299. (New) The system of claim 290, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

300. (New) The system of claim 296, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

301. (New) A television system comprising:

a. a client to receive data including at least auxiliary data, and including:

- i. an auxiliary data processor to process the auxiliary data, and
- ii. a display to display video images, based on the processed auxiliary data; and

b. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.



302. (New) The system of claim 301, wherein the client is to use the mass storage to store of data to be retrieved later.

303. (New) The system of claim 301, further comprising a local computer collocated with and in communication with the client to allow the client.

304. (New) The system of claim 303, wherein the local computer can be used to control the client.

305. (New) The system of claim 304, wherein the local computer is to control the client to process a computer program included in the received data.

306. (New) The system of claim 303, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

307. (New) The system of claim 301, wherein the client further includes a client computer and wherein the received data further includes application data for processing by the client computer.

308. (New) The system of claim 307, wherein the application data includes computer code executable by the client computer to facilitate an interaction with a client system user.

309. (New) The system of claim 307, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

310. (New) The system of claim 301, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

311. (New) The system of claim 307, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

312. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display video images, based on the processed auxiliary data; and

c. a local computer collocated with and in communication with the client to allow the client to communicate with the local computer.

313. (New) The system of claim 312, further comprising a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

314. (New) The system of claim 313, wherein the client is to use the mass storage to store of data to be retrieved later.

315. (New) The system of claim 312, wherein the local computer is to control the client.

316. The system of claim 315, wherein the local computer is to control the client to process a computer program included in the received data.

317. (New) The system of claim 312, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

318. (New) The system of claim 312, wherein the server is to generate the data to include application data to be processed by the client.

319. (New) The system of claim 318, wherein the application data includes computer code executable by the client to facilitate an interaction with a client system user.

320. (New) The system of claim 318, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a client system user.

321. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images, based on the processed auxiliary data; and

c. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

322. (New) The system of claim 321, wherein the client is to use the mass storage to store data to be retrieved later.

323. (New) The system of claim 321, further comprising a local computer collocated with and in communication with the client to allow the client.

324. (New) The system of claim 323, wherein the local computer can be used to control the client.

325. (New) The system of claim 321, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

326. (New) The system of claim 321, wherein the server is to generate the data to include application data for processing by the client.

327. (New) The system of claim 326, wherein the application data includes computer code executable by the client to facilitate an interaction with a user.

328. (New) The system of claim 326, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a user.

329. (New) A method comprising:

receiving data including at least auxiliary at a client;

displaying images, based on the auxiliary data utilizing the client; and

communicating between the client and a local computer collocated with and in communication with the client.

330. (New) The method of claim 327 including processing the auxiliary data.

331. (New) The method of claim 329, including retrieving data from a mass storage utilizing the client, the retrieving being performed via the local computer.

332. (New) The method of claim 329, including storing data to be retrieved later at a mass storage utilizing the client, the storing being performed via the local computer.

333. (New) The method of claim 329, including controlling the client utilizing the local computer.

334. (New) The method of claim 333, including controlling the client to process a computer program included in the received data.

335. (New) The method of claim 329, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

336. (New) The method of claim 329, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer, the method including utilizing the application data to facilitate an interaction between the client and a user.

337. (New) The method of claim 336, including executing computer code included within the application data to facilitate the interaction.

338. (New) The method of claim 329, wherein the displaying of the images includes generating television images.

339. (New) The method of claim 329, including generating graphics, in response to execution of computer code by the client, for display by the client.

340. (New) The method of claim 329, including generating the received data to include computer code executable by the client to facilitate an interaction with a user.

341. (New) The method of claim 329, including generating the received data to include application data to be used by computer code executable by the client to facilitate an interaction with a user.

342. (New) A method comprising:

receiving data including at least auxiliary data at a client;

displaying images, based on the processed auxiliary data utilizing the client; and

retrieving information from mass storage utilizing the client, the mass storage being in communication with the client.

343. (New) The method of claim 342 including processing the auxiliary data.

344. (New) The method of claim 342, wherein the retrieving being performed via a local computer.

345. (New) The method of claim 342, including storing data to be retrieved later at the mass storage utilizing the client, the storing being performed via a local computer.

346. (New) The method of claim 324, including controlling the client utilizing a local computer.

347. (New) The method of claim 346, including controlling the client to process a computer program included in the received data.

348. (New) The method of claim 346, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

349. (New) The method of claim 342, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer, the method including utilizing the application data to facilitate an interaction between the client and a user.

350. (New) The method of claim 349, including executing computer code within the application data to facilitate the interaction.

351. (New) The method of claim 349, including utilizing data, included with the application data and to be used by computer code executable by the client computer, to facilitate the interaction.

352. (New) The method of claim 342, wherein the displaying of the images includes generating television images.

353. (New) The method of claim 342, including generating graphics, in response to execution of computer code by the client, for display by the client.

354. (New) The method of claim 342, including generating the received data to include computer code executable by the client to facilitate an interaction with a user.

355. (New) The method of claim 342, including generating the received data to include application data to be used by computer code executable by the client to facilitate an interaction with a user.



356. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to:

receive data including at least auxiliary data representing video images at the machine;

display video images, based on the auxiliary data utilizing the machine;  
and

communicate between the machine and a local computer collocated with and in communication with the machine.

357. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to:

receive data including at least auxiliary data representing video images at the machine;

display video images, based on the processed auxiliary data utilizing the machine; and


retrieving information from mass storage utilizing the machine the mass storage being in communication with the machine.

If there are any additional charges, please charge Deposit Account No. 02-2666.

If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact André Marais at (408) 947-8200.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 02/20/ 2003

  
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